IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL WRIT PETITION NO. 1856 OF 2006

VINIT GOVIND JOSHI .. PETITIONER

Versus

GOPAL GOVIND JOSHI & ORS. .. RESPONDENTS

Mr. P. B. Shaligram for petitioner

Mr. S.V. Sadavarte for R-1

Ms. M. M. Deshmukh, APP

CORAM:-SMT. RANJANA DESAI, J.

DATED:- 15/11/2006

P.C.

. In this petition the petitioner has prayed that order passed by the 4th Adhoc Additional Sessions Judge, Pune in Criminal Revision Petition No. 330 of 2006 be quashed. The said revision was filed by the petitioner against the order dated 4th March, 2006 whereby the learned Judicial Magistrate, First Class, Court Room No. 8, Pune had issued process against him for the offences under Sections 426, 427 of the Indian Penal Code.

2. I have heard the learned counsel for the

parties. They inform that the parties have amicably settled the dispute involved in this petition.

3. The petitioner and the respondent are brothers. They are present in the court today. Through their advocates they have filed consent terms in this court. Consent Terms are duly signed by the petitioner and the respondent and their respective advocates. As per the consent terms the entire dispute is settled in the sum of Rs.9,50,000/- to be paid by the petitioner to the respondent in three installments, particulars of which have been stated in clause 3 of the consent term.

4. I am informed that cheques have already been handed over to the respondent as per the consent terms and xerox copies of the said cheques are annexed to the consent terms. Consent terms are taken on record and marked "X". Undertaking contained in the consent terms are accepted by this court. As per clause 2 of the consent terms the parties may make an application under Section 320 of the Criminal Procedure Code in the concerned court for compounding the offence under section 426 and 427 of the Indian Penal Code which is pending

before the Judicial Magistrate, First Class, Court Room No. 8, Pune, vide S.C.C. No. 2121 of 2004. Such an application shall be made within a period of two weeks from today.

5. The petition is disposed of in terms of the consent terms.

JUDGE.